

Free Ireland's Warfare Just, Says Cosgrave

Nation Fighting for Its Life, and Execution of the Rebels Is Necessary, Head of State Declares

Denounces Propaganda Asserts Vicious Lies Have Been Manufactured to Hurt Cause in U. S.

By William T. Cosgrave

President of the Irish Free State

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DUBLIN, Dec. 19.—A position of truce in Ireland has been arrived at simply because the chief politician of the irregulars has not adhered to the principle he laid down twelve months ago, namely, that we have "a constitutional way of settling our differences and we shouldn't depart therefrom."

The fundamental question at issue is simple. The Irish people have decided to save the life of the nation by accepting an equal status with other members in the commonwealth of free nations. But a small, armed faction, with the moral backing of less than 2 per cent of the population, has denied them the right to do this. In order to prevent the treaty coming into force, it first waged on them a kind of war and now is trying to produce chaos by pillage, arson and assassination in the vain hope of preventing the Free State, now finally established, from functioning.

Sought Peace for Months
For months we strove for peace and when it was evident there would be no peace, we struck.

Even after striking we tried merely to wear out these men and show them the futility of their action, and tried to conduct the fight with a minimum expenditure of human life. Four Courts were taken without a single occupant being killed. Not a touched, but rather emboldened by this restraint, the irregulars concentrated their energies on destruction. Objects of no military value were wrecked or burned. Civilians were taken from their homes and shot. Subordinate leaders were authorized to commandeer civilians for their own use and they resorted to the streets of Dublin, Cork and other cities and towns, in which civilians, including women and children, were the chief victims. Often the streets were littered with the bodies of the dead. Railway lines were cut, bridges and signal boxes were destroyed and trains sent loose on the tracks in utter disregard of danger to the public.

Lying Propaganda Started
Meanwhile, for consumption abroad, lying, vicious propaganda was set on foot. It was a propaganda of lies, largely spread in this work. Communications were sent to America, maligning and libeling the government, stating that prisoners were being tortured, that the rebels were being executed in the most barbarous manner, and that the Irish official and public life was in a state of chaos. Every possible falsehood and exaggeration was indulged in to denigrate the Irish official and public life. The fact is that this propaganda was directed toward prisoners with the utmost care.

Gradually it became evident that the revolutionaries, though their numbers were dwindling, were becoming more responsible and desperate and that stern measures must be taken. For his reason the Dail authorized the establishment of military courts empowered to inflict the death penalty on persons who were found guilty of offenses against the law. Then, after a long interval was allowed to elapse before any such penalty was carried out, but as outrages still continued the government had no choice but to act and four convicted men were executed.

As there couldn't be one law for the rebels and another for the dupes, and a Eureka children, after waging war for months against the Irish people, it had succeeded, would have said the street in ruins and slain scores of people—also were executed.

Drastic Action Necessary
Recently the irregulars began to enforce a program of "giving a traitor's share" to the people's representatives who were directly involved in the "Seven Halls" killed and Padraig Keefe seriously wounded on their way to Parliament. Assassinations being part of a definite plan to decapitate the nation by the removal of the government and parliament, it was vital to the existence of the nation for the government to show in a plain, drastic way at the very commencement its determination to preserve the lives of the people's representatives.

Four of the irregular leaders were, therefore, shot—not in a spirit of vindictiveness, not in hot blood, not even in anger, but as part of a definite policy of counter action. This decision was a terrible one for each and every one of us, but when the very life of Ireland as a nation is at stake it is necessary that we should inflict unmistakably that which was required to use whatever force is necessary for its preservation. The life of no man or set of men in the country can be allowed to jeopardize the life of the nation. Ireland's position may seem dark at the present, but the clouds are breaking. The Free State is firmly established, the Dail and the Senate have been constituted, and the plain people of Ireland, with adult suffrage for both sexes, are supreme.

Bernhardt Weak, but Will Appear in Paris

Star Announces She Expects to Play Her Part Despite Doctor's Orders for Rest

PARIS, Dec. 19.—Despite her collapse from overwork and the orders of physicians for "rest" for some time, the life of the Irish people, Mrs. Sarah Bernhardt will take her place in the Gaiter's new play, "Un Sujet de Roman." This assurance was given out from the home of the star to-day. She lay in bed, a bed of flowers. She told M. Guity, author of the play, when he called last night to present his condolences, "This is the first time this has ever happened to me." She says that she is feeling better, but not so long, and if she is careful the doctor agrees in this. "I am quite well now," said Mrs. Bernhardt this afternoon. "My only worry is that I must take a long rest, but I know that that means a sick to me."

Former Belgian Premier Challenged to a Duel

BRUSSELS, Dec. 19 (By The Associated Press).—Minister of the Colonies Franck has challenged former Premier Paul Hymans to a duel. M. Franck sent his seconds to M. Hymans to-day after sharp words had passed between them in the Chamber of Deputies.

The altercation came during a stormy period of the session which followed passage of a measure making Ghent University a Flemish institution. The vote is expected to bring a Cabinet crisis, as the Liberal ministers recently announced they had resolved to quit the government if the bill was adopted.

The bill was adopted by 85 votes to 83.

Irish Fund Hangs On O'Mara Being Alive Next Week

Justice Mullan Says if the Dublin Prisoner Is Executed He Will Dismiss Writ Against Republicans

Argument on the suit of the Irish Free State to recover about \$2,000,000 in securities on deposit here in charge of representatives of Eamon de Valera and his Irish Republic followers will be heard next Wednesday by Justice Mullan in the Supreme Court, providing that in the mean time Stephen M. O'Mara, formerly a trustee of the republican fund and now a prisoner of the Free State, has not been executed. Justice Mullan stipulated that if O'Mara is executed for his alleged activities against the Free State before the hearing next week the court will dismiss the injunction obtained by the Free State agents here, tying up the funds collected in this country by the agents of the Republic of Ireland.

Harold W. Bissell, who appeared as counsel for the Free State, said he could not guarantee that O'Mara would not be executed, but read a cablegram received from Dublin saying that O'Mara is in simple custody. Case not yet considered. If still in custody when commission arrives government will grant facilities for taking testimony.

The commission referred to in the message was the one asked by Martin Conboy, counsel for the republican agents, to take the testimony of O'Mara in the pending injunction action to restrain the De Valera element from disposing of the arms now collected by them. Mr. Bissell asked that the matter be adjourned for a month. Mr. Conboy, who had moved to compel the Free State agents to tell the place of imprisonment of O'Mara, so that he could be examined, objected to the long adjournment, saying he feared O'Mara might be executed before the month expired.

John F. Finerty, a Washington attorney, who acted in the proceeding as the agent of De Valera and the republic of Ireland, submitted an affidavit in which he said he had received communication from O'Mara. In one of the affidavits O'Mara said he would come to the United States in January, "if alive." He also was quoted as saying: "I have no doubt that they will arrest or shoot me rather than permit me to defend the cause."

The defense of the republican element is that the funds were collected in this country only for the purpose of establishing a republic in Ireland, and that the Free State officials have no legal claim to the money.

Humane Society Tactics Denounced as Prussian

Premium on Dishonesty, Says Truckmen's Bureau Statement, Which Asks Help

Action will be demanded of the new Legislature to put a stop to the "Prussianized system" of the Humane Society by the executive committee of the Merchant Truckmen's Bureau of New York, it was announced yesterday at a luncheon of the committee.

One of the things asked is that the fines now paid by drivers convicted of driving a disabled horse and given by the court to the society revert to the state. The reason given was that the present system puts a premium on dishonesty by agents of the society who desire to turn in as much revenue to the society as they can.

"The society does nothing," the statement reads, "to relieve the condition of the horse except arrest and fine the owner. The Society for the Prevention of Cruelty to Animals, as against this, gives summonses to drivers, cares for and gives medical aid to the animals."

The statement also says that the horse is taken directly to the court as evidence, and is frequently made to stand in the rain for hours until the magistrate gets time to go out and look at it. Many magistrates, the committee said, show distaste for trying cases of this kind.

Radical revision of the existing motor vehicles licensing and operative laws will also be asked, including a lengthening of time in reciprocal agreements between New York and New Jersey, lowering of the present license fee of \$5 to the old fee of \$3, and legislative action preventing the state constabulary from interfering with truck drivers on state highways.

Testimony in Boston Graft Inquiry Sent to Prosecutor

BOSTON, Dec. 19.—The Municipal Finance Commission to-day presented to District Attorney O'Brien, of Suffolk County, as evidence which seemed to show that a crime might have been committed, a copy of the testimony at the public hearings in the graft charges in connection with the City Council's passage of a loan order for purchase of a North End Synagogue for a playground site.

The District Attorney said the evidence would be promptly presented to the grand jury if such action appeared warranted.

Ship Lines File Appeal Brief on Liquor Ruling

Supreme Court Sets January 2 for Hearing of Injunction Writ Against the Daugherty Port Ban

Five Law Points Raised

Wickersham Says the Order Violates Comity and Departs From Our Policy

From The Tribune's Washington Bureau

WASHINGTON, Dec. 19.—George W. Wickersham, former Attorney General, as counsel for the ten great foreign steamship interests that are fighting the ruling of this government on the question of liquor on foreign vessels within the three-mile limit, filed his brief with the Supreme Court to-day. The ten cases, which are being treated as one, will come up for hearing January 2.

The cases are before the Supreme Court on appeal from the District Court of the Southern District of New York, Judge Learned Hand presiding. Judge Hand dismissed bills of complaint filed to enjoin Secretary of Customs Stuart, of New York, and Federal Prohibition Director Day from enforcing against foreign steamships plying between American and foreign ports the provisions of the national prohibition act as construed by Attorney General Daugherty.

Mr. Daugherty's ruling reversed the construction placed on the act by former Attorney General Palmer and by the general counsel of the Shipping Board. He held among other things that foreign ships carrying intoxicating beverage liquors as ships' stores within the three-mile limit violated the prohibition act and, therefore, the President directed the Secretary of the Treasury to formulate regulations for the enforcement of the ruling.

Brief Covers 102 Pages
The brief of Mr. Wickersham covers 102 pages and contains for the right of the shipping companies to carry intoxicating liquors as sea stores for crew and passengers within the three-mile limit, or, in other words, within the territorial waters of the United States.

It is the view of the government, and especially of the prohibition officials, that if the foreign steamships win out in their contention, the difficulties of preventing the smuggling of liquor into this country will be much increased.

Mr. Wickersham makes five chief points, as follows:
1. Neither the Eighteenth Amendment nor the national prohibition act, properly construed, requires the application of the prohibition to every place wherever the United States may exercise its power.
2. A foreign ship temporarily within the waters of the United States is not a territorial subject to the jurisdiction of the United States, within the meaning of the Eighteenth Amendment and the national prohibition act.
3. The courts will never give a construction to a statute contrary to its territorial law or the accepted custom and usage of civilized nations, when it is possible reasonably to construe it in any other manner.

4. Sea stores on merchant ships are considered a part of the ship itself and always have been exempted from tariff and other laws affecting merchandise introduced into this country.
5. Even if foreign steamships within American ports should be considered a part of the territory of the United States, nevertheless the carriage of intoxicating liquors as part of their sea stores under the circumstances described in the bill is not a violation of the amendment or the statute.

Stresses Transportation
Mr. Wickersham stresses the fact the foreign steamship companies "do not seek to transport liquor for use as a beverage within the United States, its territories, Hawaii and the Virgin Islands" and that the law and amendment are aimed at transportation for beverage purposes.

It is contended the ruling of Attorney General Daugherty is in violation of international comity and of the preceding uniform policy of this government.

It is objected that if the intention of the government is carried out it will extend a law which amounts to a domestic police regulation "over the seas" to the concern of foreign ships and thus indirectly foist our laws and our conception of the proper use of alcohol for beverage purposes over the people of other nations whose usages and laws differ from ours" and it was the intent of the Eighteenth Amendment or of Congress.

In summing up, Mr. Wickersham says: "It is our contention that although the amendment and the act by their terms apply to the United States and all territory subject to its jurisdiction, those words in and by themselves do not operate to constitute regulation of the internal affairs of foreign merchant vessels coming within our waters; that immemorial usage has established the right of such vessels to bring within our jurisdiction as a part of the stores or supplies for the use of passengers and crew on their voyage certain alcoholic beverages, and for these reasons the judgment of the district court should be reversed, and the defendants enjoined from interfering with the continuance of the customs and practices in this regard pursued by vessels of foreign registry."

The appellants are the Cunard Steamship Company and Anchor Line; Oceanic Steam Navigation Company; International Navigation Company; Compagnie Generale Transatlantique; Holland America Line; Liverpool Brazil and River Plate Steam Navigation Company; Royal Mail Steam Packet Company; Scandinavian-American Line; Pacific Steam Navigation Company, and Navigazione Generale Italiana.

Mapes Quits Revenue Post

WASHINGTON, Dec. 19.—Carl A. Mapes, solicitor of internal revenue, has resigned, effective upon confirmation by the Senate of his successor, it was announced to-day. Nelson T. Hartson, assistant solicitor, has been selected to succeed Mr. Mapes, who will practice law.

Women Vigilantes to Keep Walks Snowless

The streets of White Plains are to be free of snow and ice this winter, or the housewives of White Plains are going to know why.

The civic section of the Contemporary Club, an exclusive women's organization of the Westchester County capital, announced yesterday the formation of a "citizens' patrol," which will report to the Commissioner of Public Safety householders who fail to clean off their sidewalks.

Subsidy Leader Seeks Vainly to Halt Filibuster

Senate Drags Through Another Day Without Vote on Norris Motion to Put Ship Bill on the Shelf

Christmas Rebels Appear

Legislators Balk at Plan to Work Next Week and 'No Quorum' Threatened

From The Tribune's Washington Bureau

WASHINGTON, Dec. 19.—The test expected in the Senate to-day on the motion to take up the Norris agricultural marketing bill and displace ship subsidy failed to materialize. Instead there was another day of speech-making and to-night the situation as to the Norris motion remained where it was last night.

Senator Jones, of Washington, in charge of the subsidy measure, sought an agreement to vote on the motion this afternoon, but Senator King objected and when the Senator asked for a vote to-morrow afternoon he failed again.

Senator Jones indicated to-day he was becoming impatient and that he would insist on an early vote on the Norris motion. Unless he can get an agreement or understanding to-morrow for a vote on the Norris motion he is expected to move to table it. He said Jones still believes he has the votes in sight to block the plan of Senator Norris to force the marketing bill ahead of subsidy. Progressive and farm bloc leaders to-day doubted whether the Norris motion would carry.

If the Norris motion fails Senator Jones will press the subsidy bill as hard as possible before the farm credits bill is reported. On the other hand, the progressive and farm bloc forces will stretch out their filibuster and try to get the farm credits bill before the Senate the coming week.

A large number of Senators are protesting against the plan of the Republican majority not to have the recess holiday week. The chances of keeping a quorum next week are slight. Senator Norris was the leading speaker to-day in the debate on his motion. He dwelt on the serious condition which face the farmers, "the government regulation of the railroads had proved a failure and so had government regulation of the trusts and combinations, and to-day there were more trusts and combinations "taxing" the products of the farmer than ever before in the United States."

"The farmer gets too little and the consumer pays too much," said Senator Norris. He pictured the railroads, with high rates, and the trusts and combinations as burdening the farmer. "A railroad is, after all, nothing more or less than a gigantic middleman," said the Senator.

He held that the railroad problem presented great difficulties. He likened freight charges to taxation under another guise. He asserted rates were so high that they must be reduced or our civilization rested on a new basis. He advocated organizing a government corporation to take over the railroads and operate them "for service instead of profit."

Astoria Guard Withdrawn

ASTORIA, Ore., Dec. 19.—Blasphemy which have been maintaining guard here since the wiped out the business section of the city, December 8, were withdrawn to-day. The destroyer Yarrowbrough will depart when weather conditions permit.

Throckmorton Pays Bonus

Throckmorton & Co. are distributing to their employees a Christmas bonus of 8 per cent of their yearly salaries.

Egyptian King's Tomb Rich in Rare Fixtures, American Finds

LONDON, Dec. 19.—Archaeological treasures of the recently discovered tomb of King Tutankhamun in the Valley of the Kings, were described to-day by the American Egyptologist, James H. Breasted, in a telegram from Luxor to the Cairo correspondent of "The London Times."

"I spent an hour in the Tutankhamun tomb this afternoon," wrote Dr. Breasted. "The impression is overwhelming. The treasures are so richly and so wonderfully arranged that it is a sight I never dreamed of seeing."

"The antechamber of the Pharaoh's tomb is filled with magnificent equipment which only the wealth and splendor of the imperial age of Egypt of the fourteenth century before Christ could have wrought or conceived, and which only the skill of the Egyptian craftsmen could have executed."

Republican Club Splits on Beer and Wine Bill

Committee Report Urging Congress to Liberalize Volstead Act Is Laid Over After a Warm Debate

To Call Rival Leaders

Wheeler and Colonel Gillett to Speak Before National Organization Takes Vote

The National Republican Club, after a hot debate last night, put over for a month disposition of a report from its national affairs committee, committing the club to a liberalization of the Volstead act to permit the manufacture, sale and importation of light wines and beer.

Before the next meeting there will be a Saturday discussion meeting of the club addressed by Wayne B. Wheeler, the counsel for the National Anti-Saloon League, and Colonel Ransom H. Gillett, state counsel for the Association in Favor of Prohibition.

Speeches in favor of urging Congress to modify the Volstead act, to permit the manufacture and sale of beer and light wines, were made by Louis Guenther, Joseph Levenson and former Senator Martin Saxe. Among those opposed were William H. Vanbeneshoten, Henry Melville, J. Leland and M. Miller. Finally, near midnight, S. Stanwood Menken moved that the report which had been presented by Robert W. Bonyne, be laid over for a month, and this motion prevailed.

Would Amend Law
"In the opinion of your committee," said the report, "there is great unrest and dissatisfaction on the part of many people with the definition of intoxicating liquors as contained in the Volstead law. The definition is regarded by many law-abiding citizens as unreasonable and unnecessarily strict and oppressive. We think the act can be amended without violating the constitutional amendment."

"We believe that it would be conducive to a better enforcement of, and a greater respect for the law if the definition of intoxicating liquors contained in the national prohibition law were to be modified by permitting, within constitutional limits, an increase in the alcoholic content of beverages. This Congress, and Congress alone, has the power to do. So long as the Volstead law is in effect it should be strictly enforced by both the Federal and state governments."

For Liberalization
"The definition of alcoholic liquors as contained in the Volstead act is binding upon the states, and no matter how objectionable the definition may be to the people of any particular state, it is the duty of the state officers to enforce it as long as it remains the supreme law of the land. We believe the liberalizing of the definition by Congress, within constitutional limits, would result in a much more practical enforcement of the law. To what extent the alcoholic content of liquors may be increased, within the limits of the constitutional amendment, is a matter that must be determined by Congress on such evidence as it can command."

"We therefore recommend that the following resolutions be adopted in the place and stead of the resolution referred to, to wit:
"Whereas, Congress has power under the Eighteenth Amendment of the Constitution of the United States to define intoxicating liquors within the prohibition of said amendment, and
"Whereas, the present definition of intoxicating liquors under the national prohibition law is in the opinion of many law-abiding citizens unreasonable and unnecessarily strict and oppressive, thereby encouraging disrespect for the law,

Permit Beer and Wine
"Now therefore be it resolved by the National Republican Club that Congress be and it is hereby respectfully petitioned to amend said act by liberalizing within constitutional limitations the definition of intoxicating liquors as therein contained, so as to permit the manufacture, sale and importation of light wines and beer."

"Resolved, further that copies of this report and these resolutions be forwarded to the members of the Judiciary Committees of the Senate and House of Representatives of the United States."

Winslow Bill Hearing Set

WASHINGTON, Dec. 19.—The House Interstate Commerce Committee will begin hearings Thursday on the Winslow bill providing for return of part of the alien property now held by the government.

Denby Reports Britain Leads Ship Scrapping

Neither America Nor Japan to Junk Existing Capital Vessels, He Declares, Until the Pact Is Ratified

Building Work Stopped

U. S. Has Disposed of 25 Submarines, Monitors, Destroyers, Congress Is Told

WASHINGTON, Dec. 19.—Responding to a House resolution, Secretary Denby transmitted to Congress to-day the information in the hands of the Navy Department on the status of warships scrapped under the terms of the Washington arms conference naval treaty, or otherwise disposed of by the signatories since the adjournment of the conference.

The report showed neither the United States nor Japan plan to complete the scrapping of any existing capital ships, at least pending promulgation of the treaty, although both nations have stopped work on large building programs. Great Britain, on the other hand, was shown to have disposed of, or to be disposing of, a very considerable number of older capital ships.

The United States, according to the report, in addition to suspending work on vessels under construction under the treaty, has decommissioned all completed ships affected, except the battleship Connecticut, which soon will be placed out of commission, and has sold the Maine and Missouri, which are actually being broken up.

Great Britain, Mr. Denby said, had at the time his information was gathered, but which was not indicated, broken up three capital ships; sold, but not broken up, one; completed mutilations on two and was engaged in mutilating six others. The Australian government, he added, had decided to scrap the battle cruiser Australia, the Secretary continued. Japan "had stated that while work preliminary to scrapping will be done, the hulls will not be broken up or sunk until the treaty has been ratified by all the powers."

Neither France nor Italy was required to scrap any completed vessels by the treaty. Italy, Mr. Denby said, had disposed of one battleship under construction and has annulled contracts for three others.

Discussing ships not affected by the treaty Mr. Denby said the United States had disposed of twenty-five submarines, one destroyer, two monitors and one 450-ton gun vessel. Great Britain, he added, had lost three auxiliaries by sinking and had disposed of thirty-eight light vessels, including twenty-four submarines.

One Japanese battleship, he continued, and thirty-three smaller vessels had been removed from the fleet since the treaty was signed. In every of these wrecks, France had disposed of one battleship, four cruisers and nine torpedo boats.

Three Massachusetts Cities Elect Mayors and Officials
BOSTON, Dec. 19.—Three Massachusetts cities elected mayors and other officers to-day.
In Lowell John J. Doran, a patrolman of the city police force, was elected Mayor over Mayor George H. Brown, a former patrolman, by a vote of 12,874 to 10,852. In every of the three cities, the city's history was elected. George H. Whittemore, twenty-six years old, a World War veteran, defeated former Mayor James McPherson, 4,138 to 3,730. In Waltham, Harry F. Beal, a present City Manager, was elected Mayor over former Mayor Patrick J. Duane, 3,818 votes to 1,785.

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NEW JERSEY CENTRAL

Chinese Military Party Seeks to Regain Control

Chief Made Premier and President Is Expected Soon to Retire

PEKING, Dec. 19 (By The Associated Press).—General Chang Shao-teng, the military leader, has been appointed Premier with the approval of Parliament. His selection, which was supported by General Tiao-kun, is believed to indicate the intention of the military party to resume control of China.

The Chinese newspapers published reports to the effect that President Li Yuan-hung soon will retire and that General Tiao-kun will take his place. Another report says Tiao-kun, with the backing of General Chang Tso-lin, is preparing hostilities against General Wu Pei-fu for early spring with the purpose of placing the ruling government completely in the hands of the militarists.

The appointment of Chang Shao-teng to the premiership is declared to be a concerted move of the militarists to regain control. It is effected in alliance with General Chang Tso-lin, the Manchurian war lord, whose army is provided with modern weapons and ample supplies. As an ally of Tiao-kun the Manchurian forces are said to be prepared to start a campaign against General Wu Pei-fu.

General Chang succeeds Wang Ta-hsieh as Premier. The latter was designated by President Li Yuan-hung as Acting Premier early this month in a ministry supplanting that headed by Wang Chang-fai.

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